

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

UNITED STATES OF AMERICA,)
)
Plaintiff)
)
v.)
)
ESVIN ROLANDO IMUL-LOPEZ)
)
Defendant.)

Criminal Action No. 07- 03 PO.



MEMORANDUM OF PLEA AGREEMENT

Pursuant to discussions between the United States of America, by and through its attorney, Ilana H. Eisenstein, Assistant United States Attorney for the District of Delaware, and on behalf of and with the consent and knowledge of Colm F. Connolly, United States Attorney for the District of Delaware, and the defendant, Esvin Rolando Imul-Lopez, by and through his attorney, Christopher Koyste, Esquire, the following agreement is hereby entered into by the respective parties:

1. The defendant, Esvin Rolando Imul-Lopez, agrees to plead guilty to Count One of the Information charging him with a violation of Title 8, United States Code, Sections 1325(a)(1) and 1329, entering without inspection. This violation carries a maximum penalty of imprisonment for not more than six months, a \$5,000 fine, and a \$10.00 special assessment.
2. The defendant agrees to pay the \$10 special assessment at the time of sentencing.
3. The defendant understands that if he were to proceed to trial on Count One of the Information, the Government would have to prove each of the following elements of that offense beyond a reasonable doubt: (a) at the time charged in the Information, the defendant was an alien; and (b) the defendant knowingly entered the United States (c) at a time or place other

than as designated by immigration officers.

4. The defendant knowingly, voluntarily, and intelligently admits that: (a) he is a citizen of Mexico; and (b) on or about November, 2006, he knowingly entered the United States without inspection by immigration officials.

5. It is further agreed by the parties that this Memorandum supersedes all prior promises, representations, and statements of the undersigned parties; that this Memorandum may be modified only in writing signed by all the parties; and that any and all promises, representations and statements made prior to or after this Memorandum are null and void and have no effect whatsoever, unless they comport with the subsequent written modification requirements of this paragraph.

COLM F. CONNOLLY
United States Attorney

Esvin Rolando Imul-Lopez
Esvin Rolando Imul-Lopez

Defendant

BY:

Ilana H. Eisenstein
Ilana H. Eisenstein

Assistant United States Attorney

Christopher Koyste
Christopher Koyste
Attorney for Defendant

Dated: 3-29-2007

AND NOW, this 24 day of March, 2007, the foregoing Memorandum of Plea Agreement is hereby (accepted) (rejected) by this Court.

Honorable Mary Pat Thyne
United States Magistrate Judge